

CALIFORNIA APPRENTICESHIP COUNCIL

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LEGISLATION COMMITTEE MEETING MINUTES

Wednesday –October 27, 2010.

I. Call To Order/ Roll Call

Chairperson Dina Kimble called the meeting to order at 3:02 p.m.

Members present: Dina Kimble, Jack Buckhorn, Scott Gordon, Julia Dozier, John Foster, Les DenHerder and Acting Chief Glen Forman

A quorum was met.

Members absent: Carl Goff and Richard Harris

Review/Approval of the minutes of July 28, 2010

A motion to approve the minutes as amended was made by Commissioner Gordon and seconded by Commissioner Dozier. The minutes were approved.

II. Update on Pending Bills

a. AB35: **Education: Workforce Preparation** – Furutani – in ASM Higher Education

- This bill has changed and now adds Career Technical Education as an alternative to visual performing arts or foreign language in satisfying prerequisites for a high school diploma. This bill is held up under submission in Senate appropriations.
- The Committee will continue to follow this bill.

b. SB675: **Energy Job Training:** Clean Technology and Renewable Energy Job Training Career Technical Education, and Dropout Prevention Act of 2010.

- This bill has been changed and is now called Partnership academies: Clean Technology and Renewable Energy Job Training. It has been changed to allocate \$8M from the Energy Resources Program account to the Superintendent of Public Instruction to issue as grants for creating and maintain partnership academies that focus on clean technology and renewable energy. This bill was vetoed by the Governor. He does not believe that this is the appropriate funding and that it cause energy costs to rise and that it was dangerous because it was taking funding from something that had nothing to do with what it was funding.

c. SB1397: **Apprenticeship Oversight:**

- This bill would change the representation on the California Apprenticeship Council and also make changes to how audits were preformed on programs.

They would not longer be random audits but they would have some basis for doing an audit.

- The Governor vetoed this bill. He said similar to previous measures, I vetoed. This measure imposes new requirements on new or expanding programs without subjecting existing programs to the same level of scrutiny. Finally this measure fails to address the impacts of the so called ‘needs test’ that prevents new apprenticeship programs from being approved if a similar program already exists in the same geographic area.
- d. SB964: **Workforce Development Program High Speed Rail:** This bill was vetoed by the Governor.
- This bill would have appointed a commission to study how many jobs would be created and what sort of training would be needed for the high speed rail.
 - The Governor said that it would cost a lot of money to create another commission that we do not have and is not necessary.
- e. AB2523: **Apprenticeship Electricians:** This bill is now called **Health Facilities; Congregate Living Health Facilities.**
- This bill is an act to amend the health and safety code regarding health facilities.
 - The committee will no longer follow this bill.
- f. AB2726: Acting Chief Glen Forman mentioned this bill gives WIBS credit for job placement when people are placed in an apprenticeship program. This bill was vetoed by the Governor. The Governor said the California Workforce Investment Board is currently engaged with the local workforce investment boards, key stake holders and partners in the collaboration and coordination of programs and services funded under the Workforce Investment Act. This bill would duplicate existing efforts, therefore this legislation is unnecessary.

V. Action Items

a. Proposed language for 1777.7

Chairperson Kimble stated that although the committee has been working on enforcement language for the use of apprentices and focusing on 1777.1 which has an exception to 1777.5, which discusses the employment of apprentices. It was brought to the committee’s attention that language does not really belong there; it belongs in 1777.7 which is the current section that talks about employment of apprentices. The current language only has a \$100.00 a day penalty or a serious violation, a \$300.00 a day penalty. If the committee were to put the language in 1777.1, it would put the Labor Commissioner in charge of enforcement, but the current enforcement language in 1777.7 leaves it up to the Chief of DAS, which is where it appropriately belongs. The draft is taking the language that was agreed on and trying to fit it into 1777.7 instead of 1777.1.

The Proposed language for 1777.1 will not be presented at the CAC meeting. 1777.5 doesn’t just talk about employment of apprentices it also talks about the filing of 140s and 142s. I was agreed that if it was left in, it would be more pertinent to those types of violations. The committee is specifically adding Section

2 that states that where the violation is for failing to employ apprentices. Ms. Kimble went on to say that if there is anybody new you charge the contractor as a penalty the number of hours that he or she should have had apprentices that did not employ apprentices times the total hourly wage rate for the highest level apprentice in that craft.

VII. Discussions with the public

- It was brought up that certain programs were having issues with their local fire departments regarding apprenticeship ratios. It was stated that some cities and entities are requiring local hire of apprentices.
- Commissioner Dozier spoke about categorical funds. She stated that the categorical funding is in reference to related instrumental instruction monies, Montoya monies, and as of fiscal year 08 – 09, wherever your Montoya dollars were they will stay with that LEA until 2012 -13. It is her understanding that they will stay there regardless of how many hours you actually accumulate per year and regardless of even if that apprenticeship program is still there. On the apprenticeship program side, is that at least from the community college system it is part of what is known as flexible spending pool. What this means is that it was put together with areas such as matriculation. She continued to state that there were programs that were cut and now apprenticeship dollars are put into this flexible pool and the community colleges are told to decide where the monies will go.

VIII. Agenda Items for next meeting

- Proposed language for 1777.7

IX. Adjournment

A motion to adjourn was made and seconded. All were in favor. The motion carried. The meeting adjourned at 3:45 p.m.